

# TEMPORARY EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, Allan R. Herring and wife, Mary Nell Herring, hereinafter referred to as "Grantor", do hereby grant, bargain and convey unto the City of Olive Branch, its successors and assigns, hereinafter referred to as "Grantee", a temporary construction easement over the property described in Exhibit 1 attached hereto.

It is agreed that this is a temporary construction easement for the purpose of Grantee constructing a sewer line.

The easement is temporary in nature and will expire and terminate upon completion of the construction of the sewer project and restoration of Grantor's property. Grantee is hereby granted authority to remove any trees, shrubs or plants within the Easement area deemed necessary by Grantee or its Contractors. Completion of construction shall be defined as occurring at the time of final payment being made by Grantee to the Contractor performing the construction work.

As additional consideration it is agreed that Grantor shall be entitled to receive a waiver of one sewer tap on the property over which this Easement is granted.

IN WITNESS WHEREOF, the said Grantor has hereunto set their hand this 31 day of MARCH, 2004.

Allan R. Herring  
ALLAN R. HERRING

Mary Nell Herring  
MARY NELL HERRING

Witnessed By

APPROVED AND ACCEPTED by the  
City of Olive Branch

By: Samuel P. Rikard  
SAMUEL P. RIKARD, MAYOR

ATTEST:  
Judy C. Herring  
JUDY C. HERRINGTON, CITY CLERK

STATE MS.-DESOTO CO. be  
FILED

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471-06-745  
CH. CLK.

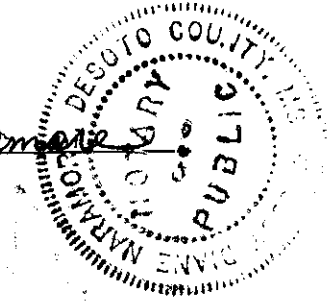
STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this 2<sup>nd</sup> day of April, 2004, within my jurisdiction, Jim E. Bentley, one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named Allan R. Herring and wife, Mary Nell Herring, whose names are subscribed thereto, sign and deliver the same to the City of Olive Branch, and that the affiant subscribed his name as witness thereto in the presence of same.

  
 Witness

Judy Diane Naramore  
 NOTARY PUBLIC



My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
 MY COMMISSION EXPIRES MARCH 19, 2005  
 BONDED THRU STEGALL NOTARY SERVICE

STATE OF MISSISSIPPI

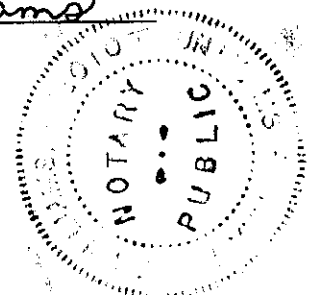
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 6<sup>th</sup> day of May, 2004, within my jurisdiction, the within named Samuel P. Rikard and Judy C. Herrington, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Olive Branch, and that in said representative capacity they executed the above and foregoing instrument, after first having been duly authorized so to do.

Lina Rena Williams  
 NOTARY PUBLIC

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
 MY COMMISSION EXPIRES AUG 13, 2006  
 BONDED THRU STEGALL NOTARY SERVICE



PREPARED BY AND RETURN TO: Gary P. Snyder, Watkins Ludlam Winter & Stennis, P.A.,  
 P.O. Box 1456, Olive Branch, MS 38654, 662-895-2996.

**ALLEN HERRINGTON and wife  
MARY N. HARRINGTON  
BOOK 280, PAGE 303**

**EXHIBIT 1**

Being a portion of Lot 1, Herrington Subdivision, lying in the northeast  $\frac{1}{4}$  of Section 20, Township 1 South, Range 6 West in the City of Olive Branch, Desoto County, Mississippi as recorded in Plat Book 51, Page 15 in the Office of the Chancery Clerk of Desoto County, Mississippi, and being more particularly described as follows:

**TEMPORARY CONSTRUCTION EASEMENTS**

Being a 10 foot wide strip of land parallel and adjacent to the north side of a 5 foot existing utility easement along the south line of subject property: Beginning 5 feet east of the southwest corner of subject property and going parallel to the south line of subject property a distance of 20 feet to a point and containing 200 square feet more or less.

STATELINE ROAD

EX. 20' UTILITY  
EASEMENT

EX. 5' UTILITY  
EASEMENT

10' TEMPORARY  
CONSTRUCTION  
EASEMENT

EX. 5' UTILITY  
EASEMENT

ALLEN & MARY N. HERRING  
BK. 280 PG. 303  
LOT 1  
HERRINGTON S/D

THIS PROPERTY IS LOCATED IN  
THE NE QUARTER OF SECTION 20,  
TOWNSHIP 1 SOUTH, RANGE 6 WEST  
DESOTO COUNTY, MISSISSIPPI



SCALE: 1" = 60'

EASEMENT REQUIRED:

<u>UNENCUMBERED:</u>	<u>ENCUMBERED:</u>
PERM: 0.0 S.F.	PERM: 0.0 S.F.
TEMP: 200 S.F.	TEMP: 0.0 S.F.

EXHIBIT NO. 1  
SHEET 1 OF 1

THE CITY OF OLIVE BRANCH, MISSISSIPPI  
DESOTO COUNTY

OLIVE BRANCH SEWER IMPROVEMENTS

UTILITY EASEMENT

NO.	DESCRIPTION	DATE	BY

PREPARED BY: F&A BK. 280, PG. 303 TRACT: HERRING  
DRAFTSMAN: BS DATE: MAY, 2003